

Richard L. Bolton

From: Walton, Benjamin <Benjamin.Walton@oag.texas.gov>
Sent: Thursday, June 25, 2020 12:29 PM
To: Richard L. Bolton; Mackin, Anna
Cc: Holt, Jennifer
Subject: RE: FFRF/Abbott

**EXHIBIT
B**

Hi Rich,

Sorry for the delay in getting back to you. We wanted to inform you that the Preservation Board is in the process of adopting a new rule that may moot the First Amendment claim by making the Capitol exhibits government speech instead of citizen speech. The proposed rule is publicly available, but a final rule has not yet been promulgated.

Thanks,
Ben

From: Richard L. Bolton <rbolton@boardmanclark.com>
Sent: Thursday, June 25, 2020 1:18 AM
To: Mackin, Anna <Anna.Mackin@oag.texas.gov>; Walton, Benjamin <Benjamin.Walton@oag.texas.gov>
Subject: Fwd: FFRF/Abbott

Hi Anna: Is it the position of the State that you cannot agree to the form of any prospective relief? Rich

Sent from my iPhone

Begin forwarded message:

From: "Richard L. Bolton" <rbolton@boardmanclark.com>
Date: June 23, 2020 at 1:02:00 PM CDT
To: "Mackin, Anna" <Anna.Mackin@oag.texas.gov>, "Walton, Benjamin" <Benjamin.Walton@oag.texas.gov>
Subject: FW: FFRF/Abbott

Any thoughts?



RICHARD L. BOLTON
ATTORNEY

DIRECT +1 608-283-1789
PHONE 608-257-9521
FAX 608-283-1709
RBOLTON@BOARDMANCLARK.COM
BOARDMANCLARK.COM

BOARDMAN & CLARK LLP
1 S PINCKNEY ST STE 410
PO BOX 927
MADISON, WI 53701-0927

From: Richard L. Bolton

Sent: Tuesday, June 16, 2020 4:47 PM

To: Mackin, Anna <Anna.Mackin@oag.texas.gov>; Walton, Benjamin
<Benjamin.Walton@oag.texas.gov>

Subject: FFRF/Abbott

Good Afternoon in Austin: I attach some language to consider regarding the prospective relief issue. I have not included the unbridled discretion issue in the mix yet to see if we can reach agreement on one issue at a time. Rich



RICHARD L. BOLTON

ATTORNEY

DIRECT +1 608-283-1789

PHONE 608-257-9521

FAX 608-283-1709

RBOLTON@BOARDMANCLARK.COM

BOARDMANCLARK.COM

BOARDMAN & CLARK LLP

1 S PINCKNEY ST STE 410

PO BOX 927

MADISON, WI 53701-0927

<Final Judgment (A3802902x9DEB4).docx>